

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

IN RE:

TOSHA YVETTE MOORE

xxx-xx-9306

701 N. Cass St., Jefferson, TX 75657

Debtor

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Case No. 19-20140

Chapter 13

**ORDER DENYING CONFIRMATION OF AMENDED CHAPTER 13 PLAN;
SETTING 30-DAY DISMISSAL DEADLINE FOR FILING
NEW CHAPTER 13 PLAN; AND REVISING FINAL
DISMISSAL DEADLINE PERTAINING TO PLAN CONFIRMATION**

On March 5, 2020, the Court considered the confirmation of the amended Chapter 13 plan [dkt #28] proposed on January 21, 2020, by the Debtor, Tosha Yvette Moore. For the reasons as stated in open court on that date, the confirmation of that amended Chapter 13 plan should be denied. The Court is cognizant that, on December 19, 2019, it had previously entered an *Order Denying Confirmation of Chapter 13 Plan; Setting 30-Day Dismissal Deadline for Filing New Chapter 13 Plan; and Setting Final Dismissal Deadline Pertaining to Plan Confirmation* which provided, *inter alia*, that, in the event the Debtor filed a new Chapter 13 plan, and thereafter failed to confirm such new Chapter 13 plan upon consideration by this Court under its normal procedures, this Chapter 13 case would be dismissed with prejudice to the Debtor's right to file a subsequent petition under any of the provisions of Title 11, United States Code, for a period of one hundred twenty (120) days from the entry of the order of dismissal without further notice or hearing. For reasons expressed in open court, the Court finds that just cause exists for the revision of that final dismissal deadline as to this Debtor and that, in order to insure the prompt administration of this case and to prevent any abuse of process, just cause exists for the entry of the following order.

IT IS THEREFORE ORDERED that confirmation of the Amended Chapter 13 plan [dkt #28] proposed on January 21, 2020, by the Debtor, Tosha Yvette Moore, is **DENIED** without prejudice to the rights of the Debtor to file a new Chapter 13 plan.

IT IS FURTHER ORDERED that the Debtor shall file a new Chapter 13 plan within thirty (30) days of the date of this order.

IT IS FURTHER ORDERED that, in the event that the Debtor fails to file a new Chapter 13 plan within thirty (30) days of the date of this order, absent a further order of the Court extending such deadline for cause shown, or in the event that the Debtor thereafter fails to confirm such new Chapter 13 plan upon consideration by this Court under its normal procedures, this Chapter 13 case shall be dismissed, pursuant to Section 349(a) of the Bankruptcy Code, without further notice or hearing and **with prejudice** to the rights of the Debtor to file a subsequent petition under any chapter of Title 11, United States Code, for a period of one hundred twenty (120) days from the entry of the order of dismissal and the Chapter 13 Trustee shall be authorized, following the payment of any allowed administrative expenses, to remit any sums remaining in his possession to the Debtor.

Signed on 03/20/2020

A handwritten signature in cursive script, appearing to read "Bill Parker", is written over a horizontal line.

THE HONORABLE BILL PARKER
CHIEF UNITED STATES BANKRUPTCY JUDGE